

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ROBERT G. HUBBARD, JR.,

Plaintiffs,

v.

ALVIN GARDNER; UNKNOWN
PARTIES, named as John and Jane
Does 1-10; and FARMERS INSURANCE
COMPANY;

Defendants.

No 3:17-cv-00450-PK

ORDER

HERNÁNDEZ, District Judge:

Magistrate Judge Papak issued a Findings and Recommendation [44] on July 25, 2017, in which he recommends that this Court grant Defendant Farmers Insurance Company's Motion to Dismiss [29]. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, the Court is relieved of its obligation to review the record *de novo*. *United States v.*


Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, the Court finds no error.

CONCLUSION

The Court ADOPTS Magistrate Judge Papak's Findings & Recommendation [44]. Accordingly, Defendant Farmers Insurance Company's Motion to Dismiss [29] is granted. Plaintiff's claim against Defendant is dismissed without prejudice.

IT IS SO ORDERED.

DATED this 13 day of Sept., 2017.



MARCO A. HERNÁNDEZ
United States District Judge